

UNBOUND SAVAGERY UNLEASHED

ON

BEJHERA KHURD FARMERS

A REPORT ON BRUTAL REPRESSION BY UP POLICE, PAC & HIRED GOONS

**NATIONAL ALLIANCE OF PEOPLE'S MOVEMENTS (NAPM)
PEOPLE'S UNION FOR CIVIL LIBERTIES (PUCL)**

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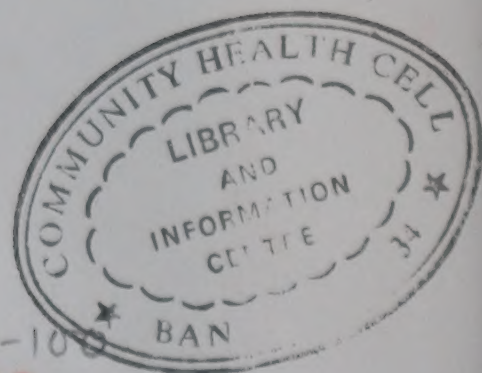
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SAVAGERY
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ON
REBELS WHO WOULD



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Foreword

This report brings out again sharply the perennial question, which the poor in the country are asking Development for Whom? Apparently, a big business company has been allotted land disproportionate to the requirement to the extent of 2500 acres whereas according to some experts, requirement should have been 400 acres. There is said to be no covenant fixing a date for the start of the power plant for which allegedly and to meet the shortage of the electricity the contract has been entered into. The result is the displacement of thousands of people from Bejhera Khurd, Kakrana, Dhaulana, Dehra and Jadaupur villages. Well may and rightly the farmers protested not only at being displaced but also at not being given their fair market price to the least they are entitled to; though the Government had promised them it resiled and the farmers persisted in their peaceful protest. They were locked up in jail, barbarous beating by the police and locking up them in jail with injured persons not getting proper medical aid amongst them.

Medha Patkar, Rajender Ravi, Bhupender Singh Rawat and I with others visited the jail on July 9, 2006 and saw injured ones in jail. We also went to the village Bejhera Khurd and were shown the scene of occurrence and were told the brutal and inhuman ways the police and their henchmen (in plain clothes), mercilessly beat them, broke up their meetings, went into their houses, even beat up some of the old women and sick persons who were being removed to the hospital. No enquiry has been neither ordered nor any public apology given by the Government for this inhuman act. The farmers are enraged in their peaceful battle and entitled to all the support, sympathy from all right thinking people. **(SEE ANNEXURE I)**

Another and more significant question arises whether the Government should resort to and whether it should be legally permissible for it to acquire land for the benefit of the company. It may be that for a very definite public purpose a land may have to be acquired by the Government. But when the land is being acquired for a private company even when it is going to engage in production of electricity, I see no justification as to why the Government should use its power to acquire the land at such cheaper rates. It is no answer to say that the company is going to produce electricity or some other public activity because the real motive of the private company is make profits and not engage in public service. The company must, therefore, go to the public as a businessman and negotiate with the farmers concerned and not take cover under the

umbrella of public interest or public benefit. Not only that, it is essential that the whole scheme of acquiring land of the farmers, considering the absolute shortage of agricultural land, a new policy has to be devised by which it is not only incumbent to compensate the farmers the cash market price but there should be a governmental sponsored programme for rehabilitating them and to provide a means of livelihood either by the alternative land or by making suitable arrangements for them. That is why the alternative policy of providing land for land at least has the benefit of looking after provision of livelihood to the displaced farmers and also problem of housing.

This Report represents the facts and though in anger (and in my view justifiably), it is factually correct and by public-spirited people. PUCL along with NAPM presents this report to the social activists of human rights and hopes that issues raised in it will receive their urgent attention so that the poor farmers affected could get immediate relief.

RAJINDAR SACHAR

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UP GOVERNMENT'S LAND GRABBING AND FARMERS STRUGGLE

Immediately after assuming the office of the Chief Minister of Uttar Pradesh, Mulayam Singh Yadav, constituted an 'Uttar Pradesh Development Council' under the chair of his confidant Amar Singh. A number of inner circles of Amar Singh became member of UPDC, which included Anil Ambani, Amitabh Bachchan, Adi Godrej and Subroto Roy. The committee was supposed to give advice to the Uttar Pradesh Government for the development of the state, to make it an 'Uttam Pradesh'. However, what resulted were not 'development' of Uttar Pradesh but distribution of 'developmental' projects to committee members and their wards.

On December 26th, 2003 the Chairman and Managing Director of Uttar Pradesh Power Corporation, Arun Mishra, while briefing the media told that Reliance Industries is looking for over 2,500 acres of land for its proposed 3000 Megawatt power plant. On 29th January 2004, Anil Ambani, who was Vice President of the Reliance Group declared in the fourth meeting of UP Development Council that Reliance would invest Rs 10,000 Crore in Uttar Pradesh for the biggest gas base power plant in the world. He further said that the cost of the power generation would be around Rs. 2 per unit and therefore the customers would be paying lesser amount than the current rates. He also added that the first phase of the plant would be completed within a year and it would start generating about 1000-1500-megawatt electricity during this period.

On June 10th, 2004 UP government formally approved the power plant to be built by Reliance Industries at Dadri (Gaziabad). The chief minister Mulayam Singh Yadav said that the Uttar Pradesh would get 1,500 MW electricity, which would be available to people would get 24 hour electricity. Interestingly, the Chief Minister admitted that Reliance has not given any undertaking in writing about the unit cost of electricity but the Chief Minister said that it would be Rs 2 per unit.

On 17th June, 2004, Santosh Kumar Yadav, the then DM, Gaziabad,

informed the press that Land Acquisition for Dadri plant would soon start under section 6/17. DM Yadav declared that the Government would disburse Rs. 100 per acre as an annual lease rate for non-private lands.

On 20th July 2004, ADM (LA) Indravir Yadav forced the 400 farmers of Dehra and Jadaupur villages to sign agreement for Rs 150/- per square yard. In Amar Ujala appeared a report on 24th July 2004 in which it was said that the farmers were not happy with the compensation amount and were planning to intervene legally in the matter. Enraged by ADMs functioning as an agent of Reliance, women of Bejhera Khurd villager did not allow the survey team as they thought that the UP government and the district administration were punishing the farmers for their legitimate demands.

Activists of Maharana Sangram Singh kishan Sangharsh Samiti continued their sit-in dharna at the collectorate and participation by the people increased as the days passed. Farmers from different villages showed their solidarity and strengthened the struggle. Seeing the farmers struggle gaining ground, the district administration became jittery and deployed the PAC

Since the administration had acquired every inch of land belonging to over 2500 families in 5 villages, including the Gram Sabha's land, land meant for 'cremation' or burial ground, pond and land belonging to religious places, the farmers continued their protests under Maharana Sangram Singh kishan Sangharsh Samiti. They sat on hunger strike in Bejhera Khurd since 26th November 2005. Five farmers, namely, Mangu Singh Rana, Rohtash Singh, Babu Singh, Malkhan Singh, Deepa Singh and Rambhul Singh had been on long and historic indefinite hunger strike for their 8-point demands. The condition of the two of the farmers Rohtas Singh and Malkhan Singh deteriorated and doctors had to be called in to provide support to them. Though the hunger strike was withdrawn but the sit-in dharna still continues.

On December 13th, 2005 there was a huge Kisan Panchayat at Bejhera Khurd. Government adopted pressure tactics and deployed PAC in the entire village. Officials went to the village and tried to mollify the farmers. A district administration official alleged that the agitation

against the power plant was an outcome of instigation by one farmer, whom he didn't name. The DM tried to hoodwink the people by the argument that the 'law' will take its own course and that administration would deal with the striking farmers 'sternly'. It was pitiable that the DM condemned the farmers and termed their demand as 'ridiculous' and aggregated.

On December 25th, 2005 a team of district officials visited the farmers sitting on fast unto death but the farmers refused to listen to their oft repeated demand of compensation was according to law and conventions. On the same day, five farmers of Maharana Sangram Singh Kisan Sangharsh Samiti received notices from Sub District Magistrate charging them becoming obstacle in the 'development' of Uttar Pradesh. These notices were sent to Manoj Bhardwaj, Rajesh Sisodia, Mangu Singh Rana, Yash Pal Singh and Ranvir Singh. They were charged with instigating farmers to sit on hunger strike due to which their conditions deteriorated.

Meanwhile Reliance was giving pipe dreams to people of Uttar Pradesh. They claimed that by December 2008, they would supply power to majority of UP town and that capacity of the power plant would be raised to 5,500 megawatt. Again, the officials told that the company would enhance the capacity further to 7,480 Megawatt. Reliance have concealed the fact from where they would be getting the gas and how will they enhance the capacity of the power plant so easily. More importantly, why was the need to acquire such a huge area of land if it could have done in less than 500 acres.

Political parties as well as non-party political formations, such as Rashtriya Lok Dal, Janata Dal (Secular), Dehat Morcha, Kisan Manch participated in the protests launched by the farmers. In January 2006, a big rally showing solidarity to the farmers' struggle was organised. In the meanwhile, Reliance was sitting quietly over the land unleashing brutal assault through police on the farmers. The 'farmers struggle' got highlighted only after former Prime Minister Shri VP Singh decided to take a plunge into it. VP Singh and his comrades in Jan Morcha decided to organise a protest march against the modus operandi adopted acquiring land on July 8th, 2006. It was said that VP Singh would till the land as mark of protest. The Uttar Pradesh Chief Minister Mulayam Singh Yadav took this

as a threat to his personal obligation given to Anil Ambani. He deployed police and para military forces of all the nearby districts to thwart the march by unleashing a 'reign of terror' so as to teach the people demanding fair price, a lesson. Police bereft of any decency and norms, which according to Justice AN Mulla, former Chief Justice, Allahabad High Court are 'organised gangster of criminals in uniform' unleashed unbound savagery upon the farmers and their family members by mercilessly beating them up, ransacking their houses, looting their cash and jewellery and not even sparing women, infants or old. The police cordoned off the entire village in the midnight of July 7th 2006 and used its might to muzzle the protesting farmers.

To investigate the brutal and unlawful violence against protest farmers by the state police, *People's Union for Civil Liberties and National Alliance of people's movements* formed a joint team, which included *Tarun Kanti Bose, Pushkar Raj, Shree Prakash, Rajendra Ravi and Bhupender Singh Rawat* visited the affected people and recorded their statements.

BEJHERA KHURD FACE THE POLICE BRUTALITIES

Bejhera Khurd, the village in Hapur Tehsil, Ghaziabad district is located about 60 kilometres from Delhi. It is said that people started settling in this village in 896 AD. It is relatively a big village with a population of seven thousand people mostly farmers. The most dominant community here is the *Rajputs* who constitute nearly 60 per cent of the population. A majority of them are farmers. Other 40 percent of the population comprise of Brahmin, *dalits*, OBC castes and Muslims. Among the *dalits*, there are *Jatavs* and *Balmikis* and OBC castes include *Jogi*, *Goswami*, *Koli*, *dhobi*, *Dhimar*, carpenter, Potter and Barber. Muslims include barbers and weavers. Few of the *dalits* and OBCs own land as majority of them are landless peasants. *Dhimar* and *dhobi* do not own a land. Only fraction of *Koli* families possesses land.

The farmers' movement in the green belt has often turned volatile and violent whenever they felt that they were given unfair deal. This is one of the most prosperous belt of farmers in the country where per capita income of the farmers is much high than their counterparts elsewhere. In the mid eighties Mahendra Singh Tikait's movement had got wide support and it became difficult for the government machinery to visit the village unless it has got approval of the Bharatiya Kisan Union. Therefore, it is more shocking when the fertile land of this region was being acquired for a project whose benefits no body know. Moreover, compensation planned and being given makes a mockery of playing by the game. More so, because, it is always considered that politicians do everything for votes. One does not know whether the villagers of village Bajhera Khurd are not voters or whether their votes do not count much for the state government.

It is tragic that while land owning farmers might get some compensation (much below their expectations) for their land but there is no possibility for the landless people to get a compensation for their work. Even if they get, bureaucratic hurdles, corruptions and low level of compensation would make it impossible for any of them restart their business. Even 800 biga of the *Gram Sabha*, which would be acquired for the project, has been fixed an annual lease rate of Rs. 100 per acre for non-private land. Like any other part of western Uttar Pradesh, this part is also fertile sugarcane belt. While relations with different caste groups in western Uttar Pradesh remain tense yet they never came out in open. This issue,

however, has united all of them together who are on the verge of getting dispossessed from their land.

The prosperity of the western Uttar Pradesh as well as its proximity to Delhi has allured a large number of industrial houses and corrupt builders who are buying land on hugely subsidised prices with the open support of the state administration and building big malls, multiplexes as well as apartments.

What happened on 8th July 2006?

On Saturday 8th July 2006, early in the morning when people have not fully got up from their sleep, a strong contingent of UP Police, PAC and hired goons of Reliance Energy Limited and the ruling party armed with carbines, rifles, cycle chains, iron rods and *lathis* descended from their vans surrounded Bejhera Khurd village. They first attacked the tent meant for the proposed meeting of Janmorcha. It was totally destroyed and the activists and farmers sleeping under the tent were beaten up mercilessly. Once they finished their work in the tent, the policemen and those accompanying them divided themselves in a column of 50-60 men and started searching individual households. Whatever, they got in front of them was smashed including vehicles, cycles, boxes, charpoys, tables, chairs, tractors was hit and smashed. Confronted by the rampaging policemen and goons, the dumbfounded villagers attempted to put up a brave front. This resulted in physical assault of each one who tried to question their action. Therefore women, children and even old aged were not left out.

Bejhera Khurd village has a history of leading this movement against acquisition of land and therefore the farmers there became the prime target of the police.

Among the seven villages selected for the acquisition of land for the proposed power plant to be made by Anil Ambani's Reliance Energy, Bejhera Khurd, has been at the forefront of the struggle launched against the modus operandi adopted in acquiring land for 3,500 MW Power Plant by Reliance Energy. Since February 2004, a sit-in *dharna* by the farmers under the banner of *Maharaja Sangram Singh Kishan Sangharsh Samiti* has been continuing unabated. 2,700 families living in Bejhera Khurd, Kakrana, Dhaulana, Jadaupur and Dehra villages face displacement as 12,500 acres of their farming land has been proposed to be acquired for the project.

According to villagers four buses of the Provincial Armed Constabulary (PAC) and four buses of private musclemen or hired goons descended on the village in the early morning when people just finished their morning chores. Some of them were still sleeping as it was just around 5.45 a.m. when police and the armed militia (these people were simply plainclothes and people believe that they were hired goons of Reliance Industries) without giving any warning swooped on the people, who were sleeping in the tent and ransacked it. It was not enough to satisfy the false ego of their political masters and therefore their chums began raining blows on them with lathis and rifle butts. There was chaos all around as people were running helter-skelter. Some of them were not even woken up properly before the lathi and rifles hit them. In the commotion some of them were overpowered as well as outnumbered and bundled into parked buses.

Having cleared the place of tent and people sitting on *dharna* the PAC and private *lathi*-wielding brigade accompanying the police entered the village. As per the villagers, the PAC and musclemen along with it looted almost 200-250 houses. There are about 20 shops in the village. The police fired indiscriminately and lobbed teargas shells, took adolescents, young and old to the custody, violated all norms of decency with impunity. Even the media persons were not left. Some of the press persons complained how the police tried to snatch their papers and hit the photographers.

At the Ghaziabad-Delhi border on Ghazipur, a very large contingent of Uttar Pradesh police, PAC had blocked the traffic and erected barriers to disallow any efforts of political parties led by V.P. Singh to reach Bajhera Khurd. When Mr V.P. Singh, Raj Babbar, Udit Raj tried to cross the border, they were arrested and put in a guest houses in Vasundhara under the charges of threatening peace in the region. It is tragic that a state government feel a former prime minister of India who had been Chief minister of state twice and Union minister has become for the 'peace' in the region. So terrified was the government of the state that it passed a ban on various political leaders visiting the district. The ban was imposed on V.P. Singh, Raj Babbar and others till 15th August, 2006.

Brutal assault on the villagers by rampaging policemen:

Following are the testimonies of the people interviewed by our team.

1. Sanjay Singh, 28: My uncle, Vinod Singh was taken to custody. Prior

to his arrest, the police, PAC personnel and goons entered our house by breaking open the door. My uncle and 75-year old grandmother, Ramwati were beaten indiscriminately. Police rained incessant blows on me and I suffered a grievous injury on my head. Forcibly they took away whatever was cooked and split the milk. Looted all our belongings and stole all the household utensils.

2. **Shoma Devi, 37:** Barging inside the house by breaking the door, the policemen swooped on me when I was cooking. Using abusive and lewd language, they rained incessant blows with the rifle butts on my left arm, shoulder and hip joints. They didn't even spare my 13-year old daughter, Ruby. In a fit of rage, they smashed our motorbike, scooter and generator. Policemen stole my '*mangalsutra*' and purse.
3. **Harbati, 54:** 50- 60 police personnel pushed the door and came inside. I was driven out of home and blows of rifle butts were continuously rained on my hips, shoulder, back and head. Our television was smashed to pieces. My 17-year old son was kicked by the policemen and beaten mercilessly and my 56-year old husband, Birpal was brutally assaulted and taken to custody. He has been x-rayed thrice for an internal injury. A plastic can full of mustard oil was punctured and was spilled over the ground.
4. **Sapna, 24:** Rampaging policemen broke my kitchen door and damaged all the utensils. My 11-month old daughter was thrown away in the ground from the cot. My husband was taken to custody and Rs.15,000 was stolen by breaking the cash box. Standing nearby 50-year old Meena said, " I was brutally assaulted and incessant blows of rifle butts were rained on me. My 3-month old grandson, Monty was not even spared. He was thrown to the ground."
5. **Lekhraj Singh, 90:** I was sleeping on my cot outside the house. 50-60 policemen armed with rifles, *lathis* and iron rods broke the door and pounced on me. They rained incessant blows on my hip joints and shoulder. Still there is excruciating pain on the left side of my shoulder, left arm and hip joints.
6. **Dhropa, 35:** 50-60 policemen barged inside our house. They swooped on me and beat me mercilessly. Continuous blows of rifle butts were rained on my leg and hips. They entered the kitchen and broke the earthen *chulha* (oven). Policemen forcibly lifted my golden earrings.
7. **Bijesh, 40:** The rampaging policemen broke upon our door and started beating my husband. Continuous blows of rifle butt were rained on me. The glass screen of our Maruti car was smashed and my golden anklet was snatched away by the policemen. My son, Somvir

was taken to custody.

8. **Rampal Singh, 55:** At around 6.30 a.m. 60-70 policemen broke upon my iron gate and barged inside our house. Incapacitated by chronic lever problem I was laying on the cot. They pounced on me and disentangled my catheter and threw it. I was writhing with pain. Then they surrounded my wife, Angoori, daughter, Lata, son-in-law Shishpal and son, Manoj and started raining continuous blows with lathis and rifle butts. Rampaging policemen robbed golden earrings of my wife and daughter. Even they broke our almirah and stole Rs.40,000 from the cash box. Before leaving, they smashed the colour television and destroyed the motorbike. My son-in-law Shishpal was taken to custody.
9. **Maya, 50:** 60 policemen entered our house. They brutally assaulted me. My almirah was broken and all the ornaments, such as anklets, waist chain, rings and bangles were stolen. Even they took away Rs. 30,000. Golden earrings were forcibly snatched from my daughter-in-law and me. Policemen pierced sharpened side of the rifle and damaged my son, Sunil Giri's right eye. I am a widow and he is the only earning member of the family. See how blood is oozing from the bottom of the eye. My other son, Mahesh, who is just 14-year old, was also beaten mercilessly. Yogesh, Sunil's brother-in-law was taken to custody.
10. **Omkari, 40:** 50-60 policemen barged inside our house and looted the small shop and took away everything. My husband, Ram Kumar is a poor landless labour who runs this shop to eke out a living. My 1 year daughter, Shivani was forcibly taken from my lap and thrown in the ground. Golden earrings of my 10-year old daughter and me were snatched away by the policemen.
11. **Rohtas, 70:** 60 policemen barged inside our house. They fired at the right foot of my 30-year old son, Prempal and took him away to custody. His condition is serious. Incessant blows were rained on my left foot. A motorcycle, recently purchased was damaged. They even looted biscuits, cigarettes and Rs.1,000 from the shop, which I run from the house.
12. **Daya, 52:** 50-60 policemen stormed inside our house. It went berserk and broke open the door. They smashed three motorbikes and a tractor. My 18-year old son, Vikram was brutally assaulted and taken to custody. Prior, to him being driven out of the home incessant blows of rifle butts were rained on Usha, Shashi and Guddi. Golden earrings were snatched from Usha and Shashi. Even two kids, 5-year old Vishal and 4-year old Ankush were not spared. They were beaten

mercilessly.

13. **Dharambir Singh, 45:** Continuous blows of rifle butts and lathis were rained on our door and broken. When police stormed inside, my father Bhuliya Singh, who is 70, was gossiping with Rajpal of Kakrana village, while smoking *hookah*. The rampaging policemen beat my father mercilessly, now his condition is stated to be critical. Radio, lantern and chairs were smashed.
14. **Anju, 24:** Policemen constantly rained blows of rifle butts and lathis and broke upon the door. Rampaging policemen used lewd and abusive language. They broke the almirah and stole golden earring, silver anklet and waist chain. Rs. 11,000 was also robbed.
15. **Bijender Singh, 24:** 50-60 policemen broke upon the door and stormed inside the side. Incessant blows of *lathis* were rained on my mother, Shakuntala and my wife. Due to constant blows on my wife's hips and legs, now she can't even walk properly. Both of their gold earrings were snatched. My wife's anklet, golden *mangalsutra* and Rs. 20,000 were looted from our house.
16. **Sudha, 40:** Persistent blows of rifle butts and *lathis* were rained on our front door and broken. Gold earrings of Sudha and Asha were stolen. Incessant blows of lathis were rained on Pramod's head and he was given ten stitches.
17. **Anita:** Policemen broke the door and barged in. Scared of the rampaging policemen children had ran away from the house. Rs.10,000 had been stolen by breaking the cash box. I was beaten black and blue by the police.
18. **Vidya, 70:** 50-60 policemen stormed inside our house and destroyed the tractor. The tyres were punctured. All the utensils were broken. Raju, who is 17-year old and brother-in-law of my son, Davinder was driven out of the house and taken to custody.
19. **Ruby, 30:** 60 to 70 policemen broke our front door by raining blows of rifle butts and *lathis*. My co-sister, Mahima, who is deaf and dumb and widow was beaten mercilessly and thrown from the rooftop. A motorbike was smashed. While leaving the house they rained some blows on my co-sister, Kamlesh and me.
20. **Shivdayal Singh, 83:** Policemen barged in and started beating me mercilessly. Excruciating pain in my right limb still bears the mark of the brutal assault. 2 mobile phones put on the charger was robbed. The policemen looted Rs. 1,57,000 collected for the *Mahapanchayat*. *Mahapanchayat* was scheduled on 8th July 2006 in which Mr. VP Singh, former Prime Minister was to address.
21. **Shakuntala, 60:** Fifty to sixty policemen stormed inside our house by

breaking the door. Policemen thrashed me and my daughter-in-laws, Satho and Mamta. Satho's gold earrings were snatched and Mamta's gold chain was robbed. I am a widow and my 16-year old son, Bhojraj was driven away and taken to custody. While being taken to custody he was mercilessly beaten.

22. **Pappu Sharma, 30:** 20 to 30 policemen entered my house and started raining continuous *lathi* blows on head. I fell down and had to get six stitches for head injury. *Gutka* and cigarettes were stolen from my shop. I have also registered an FIR against the police atrocities perpetrated on us.
23. **Bimlesh Sharma, 30:** 30 to 40 policemen stormed inside our house. When they entered the house, they asked about my husband. I said that I am a widow. They did not believe me and pounced upon me, when I was cooking. Gold earrings and Rs. 1,000 were stolen away by the rampaging policemen. They rained incessant *lathi* blows on hips, back and arms. My left hand finger has been damaged in the brutal assault. Scared by the marauding troops, children ran away and hid themselves.
24. **Shiela, 65:** Policemen broke the doors and barged inside our house. Incessant blows of the lathis were rained on my right arm. They didn't even spare my 67-year old sister, Kamala. Gold earrings were forcibly snatched from our ears.
25. **Rajesh, 40:** Rampaging policemen broke the door and rained constant *lathi* blows on me. I was alone in the house as my husband lives in Pilkhuwa. They snatched away my earrings from. Continuous blows had injured my spine.
26. **Urmila Devi:** Forty to fifty policemen stormed inside our house and rained blows of rifle butts on the buffalo.
27. **Poonam, 36:** 20 to 30 policemen barged inside our house by breaking the door. They came and pounced upon me. I was performing *puja*. They caught me by hair and drove me out of the worship place. They robbed of my gold earring, anklet and smashed the wall clock. My 14-year son Ravindra Giri, who was sleeping in a cot, was taken to custody. My 80-year old father-in-law Ramjilal Giri was beaten mercilessly. Even the standing buffaloes were not spared.
28. **Leela, 45:** Fifty to sixty policemen broke the door and stormed inside our house. They went berserk. They snatched my grandson, Honey and started raining incessant blows of rifle butt on my shoulder and head. I fell on the ground and was unconscious for few minutes. The wound on my head was so severe, that the doctor gave 12 stitches. Under my right eye, you can still see a scar, which bears the mark of

the brutal assault on us. My husband, Channo Singh, 50 was beaten mercilessly before being taken to custody.

29. **Urmila, 32:** I was having my morning tea. Policemen entered the house by breaking the door. One policeman pounced on me and snatched my Mangalsutra and robbed of my gold chain. They stole Rs.5000, earrings, and anklet. Radio and deck was smashed. My 18-year old son Dinesh was taken to custody from Kunwar Pal's house. While being taken to police station, he was assaulted brutally.
30. **Rajwati, 45:** Teargas was lobbed and nothing was visible. Policemen broke the door and entered the house. They went berserk and threw all the materials. Incessant blows of rifle butts were rained on me. Gold earrings of my daughter, Amrita and me were snatched away.
31. **Kela Devi, 60:** 50 to 60 policemen broke the door and barged inside. 14-year old Kamlesh, my son-in-law's nephew was driven out from the house and taken to custody. Gold earrings and anklet of my daughter-in-law Munisha were snatched away at the gunpoint.
32. **Malkhan Singh, 58:** When policemen stormed inside the house, at that time, I was feeding my buffaloes. Then they asked me that was I part of the *Dharna*. I replied no. Even after my response they rained blows of lathis on my back, feet and arm. See I can't even walk.
33. **Ashrafi, 85:** Policemen barged inside the house and broke the windowpane. Then they were going to rain *lathi* blows on my son, Omprakash Giri, who is paralytic patient and bedridden for many years. I pleaded to spare him. After that, they started beating me mercilessly. Incessant blows of rifle butts were rained on the head of my grandson, Vinod Giri, who is 24-year old. He was beaten outside the house. He had twelve stitches on the head.
34. **Vimla, 40:** Policemen failed to break open our iron gate. But they took away my 14-year old son, Monu to the custody.
35. **Bugli, 50:** Policemen broke the iron gate and barged inside. Incessant blows of *lathi* were rained on hip joints, shoulder and legs. Still there is excruciating pain. Even, they continuously brutally assaulted my daughter-in-law. She has suffered an internal injury over the head. Gold earrings were snatched away from my daughter-in-law and me.
36. **Jaiprakash Giri, 63:** 40 to 50 policemen rained blows of rifle butts and brick pieces to break open the door. When they entered my house they started beating me by hitting me with rifle butts. My left palm was fractured. Then they drove me to a PAC van. Then, I ran away and went hiding in the fields. My son, Mahendra Giri, who is a handicap, was mercilessly beaten. My wife, Dayawati, who is 60-

year old, was beaten black and blue. Incessant blows were rained on her hip joints, now she is totally bedridden. My daughter-in-laws Rani and Resham were beaten mercilessly. Rani is physically challenged and Resham is pregnant. My 3-year old granddaughter, Anjali was thrown in the ground and blows of *lathi* were rained on her.

37. **Manoj, 13:** Policemen went berserk and smashed our Santro car HR-08-D-7600 by raining constant rifle butts and bricks. When I resisted then they caught hold of me and crushed middle finger of my right hand. Still there is excruciating pain in the bruised finger. Even they broke the headlight, filter tank, pump and battery of our tractor ISAR-312.
38. **Omprakash Singh, 60:** 50 to 60 policemen barged inside and broke the door. After storming inside, they started raining incessant blows on my back and I fell down. Then they broke the inside door and started constantly beating my 22-year old son, Anurag. He was beaten so badly that he was confined to his bed for 8 days. Even the policemen stole his Titan watch, which costs Rs. 1100. My other son, Davender's TVS Victor motorbike UP-14-S 8323 headlight, indicator and tyre were punctured by sharp-edged weapon.
39. **Kashmiri, 25:** I was at rooftop, when the policemen barged inside by breaking open the door. Whatever food was prepared they split it in the ground. Then, they threw my 2-year old son, Saurav on the ground. You can see the bruises over his face. Broke open the other doors, then they rained blows of rifle butts on brick-laid roof. After that, they rained *lathi* blows on buffaloes, horse and the mule.
40. **Manso, 65:** 50 to 60 policemen, PAC *jawans* and plain cloth men rained rifle butts and broke our iron gate. When they stormed inside they went berserk and destroyed all the electric switches and smashed two plastic chairs. Then, they broke the door of our shop and rained *lathi* blows on our buffaloes and horse. Scared by the policemen running amok I went into hiding along with my grandchildren in other room. In other room my daughter-in-law holed up. In the darkness, they barged inside the room and stole my son's new trouser and Rs.5,000.
41. **Sukhbir Prajapati, 50:** Policemen stormed inside my house and rained blows of rifle butts on my tractor. They broke the steering, air and battery of the tractor. They went berserk and rained incessant blows of *lathis* on my 17-year old son, Dharmi and drove out of the house and put him behind the bar.
42. **Ratno, 65:** Policemen barged inside by breaking the door. Scared by

the rampaging policemen, I rushed to the other room, where they stormed inside and started raining incessant blows on my chest and arms. Constantly, they showered blows on his back, thigh and shoulder. They did not even spare my 68-year old husband, Buddhan Singh. He was beaten mercilessly and when he being driven out for taking him to custody. Then, my daughter's sons, Deepak and Kuldip started crying. Policemen rained blows of *lathis* on them also. Fearing reprisals from policemen, we didn't go to any Government hospital or dispensary.

43. **Harichand, 55:** Policemen broke upon the door and stormed inside our house. Using abusive language they asked that why we are not vacating the land after being paid the compensation. Then they started raining continuous blows on my shoulder, back, thigh and legs. Caught hold of me by neck and threw me in the ground.
44. **Bhikhan Prajapati, 85:** Policemen broke upon the door by raining blows of *lathis* and rifle butts. Then they pounced on me and thrashed mercilessly. I have excruciating pain on my back and wrist of my left hand has been fractured.
45. **Shoma, 39:** When I busy cooking food, all of a sudden policemen broke the door and barged in. Then, they ran amok and started showering blows of *lathis* on my shoulder and hip joints. Our scooter DL-25-25 and motorbike UP-14R-8210 were smashed by the marauding troop. They looted my *mangalsutra* and gold earring. Even they stole my daughter-in-law's waist chain, 3 rings, pendent and gold chain. They broke the CD player and music deck.
46. **Surinder Singh, 45:** Policemen and PAC *jawans* broke the door and smashed the window screen of a Maruti car UP-14M-2570 and destroyed the motorbike UP-14-AC-8149. Even they damaged the wall clock. They looted Rs.20,000 by breaking the safe box.
47. **Gopal Singh, 50:** Policemen broke upon the door and they stormed inside. They showered continuous blows of *lathi* on my thigh. Still the mark on my thigh bears testimony to this fact.
48. **Nimala, 24:** Policemen broke the iron gate and barged inside the house. I have a 10-day old son and 2-year old daughter. Policemen caught hold of my daughter and broke her limb. Then, they threw on the ground. They broke the cashbox and stole Rs.10,000, golden chain. They pushed my elder sister-in-law and in that process she was hurt and her index finger of the left arm was fractured. Incessant blows of rifle butt were rained on his left arm.
49. **Basanti, 55:** Police broke the door and stormed inside and robbed me of gold earring.

50. **Yashvir Giri, 35:** Policemen barged inside our house and pounced on the buffalo, broke the television and smashed the scooter. Continuous blows of lathis were rained on my 13-year old son. He was driven out and pushed behind the bar. They inside the other room broke quality about that. Blows of lathis were rained on my wife. Her gold earring, *mangalsutra* and *anklet* were stolen.
51. **Makhanlal, 65:** Policemen stormed inside our house and rained blows of rifle butts on my left elbow. The deep cut on my left elbow is taking a serious turn.
52. **Nand Kishore, 50:** Policemen barged inside the house by breaking the door. Rampaging policemen accompanied by hired goons smashed by Maruti car and looted jewellery from my almirah worth lakhs of rupees.
53. **Udaiveer, 60:** Policemen and goons entered the house and rained blows of *lathi* on me. You can see the black spots on my thigh and back, which are visible marks of assault on me. Policemen pounced on me when I was taking breakfast. Police beat up my son Jagdish, 18 and fractured his leg. Another son Chander Mohan, 16, was beaten up severely and taken into custody. They looted gold chain and Rs. 10,000 from our house.
54. **Kunwarpal Singh:** Policemen broke open the iron gate by raining continuous blows of rifle butts. Broke 100 Pepsi bottles, showered incessant blows of lathis on me and I fell on the ground. I was unconscious. Entered the house and broke the cash box looted Rs.50,000 and all the gold and silver ornaments. They drove out my two sons beating them indiscriminately to the custody.

(SEE ANNEXURE IV)

Role of the State

The UP police and the state administration emerge as highly culpable in the incident of brutal assault, looting, smashing properties, framing false cases and indiscriminate firing on 8th July 2006.

Police

On 8th July 2006, Police and its accomplices (in plain clothes) surrounded the Bejhera Khurd village, broke the doors by raining rifle butts, mercilessly beat women, infants, young and old, looted ornaments and stole their money. We condemn police, PAC and armed goons, which went berserk at Bejhera Khurd by perpetrating brutalities over women,

children and the old. Police are not accustomed to speak politely and behave in a dignified manner. The political interference in the matter of police have made them behaving like criminals. It is not unusual that when there are act of violence and highhandedness, charges are often levelled against Policemen for stealing and looting the money and gold-silver ornaments of the communities they raid. Bejhera Khurd was no exception as according to the villagers when police raided the village, beat up the villagers, a large number of their fellowmen were looting the ornaments and breaking the walls.

District Administration:

The District administration has overtly or covertly colluded with the guilty police, PAC personnel and armed militia. It has been assiduously trying to shield them. The Chief Minister has shown its contempt for public opinion by not even offering its regret to the injured and the farmers. The very first action which was to be taken by it in the wake of the 8th July's brutal assault on the Bejhera Khurd villagers was to order an impartial investigation to pin down the guilty and release the villagers against whom false cases have been framed. This suggests that the local administration is in complicity with the guilty police, PAC personnel and armed goons. The fact that demands an independent CBI investigation into the brutal assault on the Bejhera Khurd villagers. A judicial inquiry is also called for to punish the guilty. As reported earlier, the district and state administration is working hand in glove with M/s Reliance Energy of Anil Ambani group. District magistrate has actually warned people of dire consequences if they continue with their *Dharna* and protests. It is ironical that the administration has not asked police any show cause notices and none of them have been held accountable. Contrary to the same, agitating farmers have been charged with various cases. It clearly reflects the malafide intentions of the state government.

Why the UP Government gives undue favour to Reliance?

Answering to a query on this issue, Naresh Agarwal, Power Minister, UP, said in the Assembly that the Rs 150 per square yard rate was fixed after the farmers in Dadri endorsed. According to the minister, 2,173 acre of land has been acquired from the farmers and 165 acre of *Gram Sabha's* land. Further he said that work is afoot to acquire the rest of the land

meant for the project. The MLA Munna Singh Chauhan, sought clarifications from the minister that why favouritism was to reliance in disbursing 2500 acre in contrase to the Tatas asked for 350 acres for the power plant. Clearly it shows, according to the MLA, the UP Government was giving undue patronage to Reliance by dispossessing the farmers.

The Chief Minister Mulayam Singh Yadav had declared in a public meeting that the rates for the land per square yard would be Rs 310 This fact has been confirmed by the former Prime Minister VP Singh, that the UP Chief Minister had promised to him the same when he visited the former PM. In a letter written to the Prime Minister Manmohan Singh on 11th of August 2006, the former PM drew his attention on the Dadri project. Mr. VP Singh wrote, "the Uttar Pradesh Government had acquired 2500 acres of highly productive agricultural land for the ostensibly 'public purpose' for infrastructure development namely, to set up a gas based thermal power plant near Dadri in Ghaziabad. Nobody would question the need to augment the generation of power supply in the power-starved state. But what is most questionable is the way in which the government of UP has been acting at the behest of and for the benefit of one corporate house flouting all norms of propriety and prudence."

The former PM also questioned as why 'no competitive bid were called for before deciding in favour of one particular corporate house. He charged that for the said corporate house the cost of the land has been 'virtually subsidised to the extent of 60%. More worrisome was why such a vast tract of fertile land was needed for the power plant and why no work has yet started on the project site'.

Further he 'demanded a national moratorium for six month and immediate halt to the process of any further land acquisition, dispossession, demolition and displacement. The constituting of a high-level commission comprising of eminent persons is still pending. The task of the commission, should be to lay down a new comprehensive policy and set up an effective mechanism to ensure the protection of the right and interest of the affected people not as a post factor formality but as a necessary precondition to the initiation/resumption of work on projects including those related to urban renewal and development.'

Shamelessly, the Uttar Pradesh Government threw all the norms of democratic norms in the air and used a judicial order to thwart any public meeting in Bejhera Khurd. Even when the meeting for 17th August, 2006 organised by *Dehat Morcha*, *Jan Morcha* and alliance groups was to be held at Dadri, just 18 kilometres from Bejhera Khurd, the state government deployed all its forces to foil the struggle and not allow people to

assemble. Since morning when people started assembling to participate in the meeting, they were obstructed. Farmer leader Mahendra Singh Tikait and others were arrested when they started from Muzaffarnagar. Border areas of district Ghaziabad were sealed and heavy police forces were deployed. The traffic from Bulandshahar to Gaziabad and greater Noida was blocked.

One needs to ask a question whether the farmers have a minimum right to register their protest. Do political formations have a right to organise a protest meet. At the Delhi-Ghaziabad border, VP Singh was arrested along with his comrades.

Bejhera issue has again highlighted the danger of 'corporate' terror unleashed on the poor fighting for their right. It also shows how state apparatus surrender meekly to their political masters who have been openly working with 'corporate' houses. That most of these projects are being handed over to corporate houses without calling for any competitive bid is a matter of grave concern. Often, the votaries of market economy and liberalisation mention that market mean openness and end to licence quota raj. If one see the project approved in Uttar-Pradesh and other parts of India, it reflect another kind of licence quota raj when the power elite behave hand in glove with the corporate. We need to ask why powerhouse constructions need 2,500 acres of land. Where in the world have we seen such huge land acquisition? Clear enough, those in power want to strip the people from whatever little resources they have with them. India needs a clear guideline on Special Economic Zone projects. Why the state is not only subsidizing big powerful corporate houses hugely in their land purchase but also given a long tax holiday. Such subsidies at the cost of the farmers, workers must stop at once and government must understand that it was voted to power against the economic policies of the previous government. Disarming people from their land and water rights is the biggest crime and the governments must be ready to face the crisis born out as a result of these circumstances.

Role of Judiciary

On the evening of 7th July 2006, Reliance Energy filed a writ Petition in the Lucknow Bench of the Allahabad High Court, seeking full police *bandobast* against the villagers. Despite this petition being filed well after court hours, and that the Lucknow Bench had no jurisdiction to hear this case, since only the Allahabad Bench had territorial jurisdiction to hear this matter, the Senior Judge, Justice Jagdish Bhalla directed that a special bench of Justice Bhanwar Singh and Justice S.N. Shukla would hear the matter at their residence, even though the petition had not even been numbered. Late that night, a hearing was held at the residence of one of the judges of this unnumbered petition. Aarohi Bhalla, the son of Justice Jagdish Bhalla appeared for Reliance. The petition was allowed that very night without notice and the State and police were directed to "provide all possible State protection to the petitioner company".

Armed with this order, the police resorted to a massive lathi charge on the protesting farmers and did not even allow former Prime Minister V.P. Singh to reach there. The manner in which the Lucknow Bench proceeded to hear this matter late at night when they did not even have territorial jurisdiction and where the son of the senior judge appeared before the judiciary shows the remarkable way in which the Company obtained the said order. **(SEE ANNEXURE II)**

Role of NHRC

Our team comprising of *Rajindar Sachhar, Medha Patkar, Rajender Ravi and Bhupender Singh Rawat* submitted a report on 11th July 2006 to National Human Rights Commission (NHRC) on the brutal repression of Bejhera Khurd farmers by UP Police, PAC and fired goons on 8th July 2006. Responding to our report, NHRC asked the District Magistrate of Dadri to intervene in the matter. However, it was deliberate ploy to shield the guilty police, PAC personnel and hired goons, even Dadri is tehsil of Gautam Budh Nagar (district) but not of district Gaziabad. The NHRC chairperson, Justice Anand should issue directives to DM, Gaziabad district but not Dadri. **(SEE ANNEXURE III)**

We demand

1. To constitute a high power committee including members of Civil Society Organisations (CSOs), technical experts, farmer leaders, academicians, to find out how much exactly is needed for a 3000 MW power plant and which are the companies working in this field so that a competitive bid could be invited. Bids could also be invited from the state owned power companies operational in different states.
2. Till High Power Committee comes to a conclusion, no further acquisition should take place. The farmers must get their land back. However, UP Government working in behest of Reliance should not force farmers, who are not keen to sell their land.
3. Government must acquire non-irrigated land or wasteland in lieu of fertile land for power plant.
4. Government must be transparent enough for making open its deal with Reliance Energy. Has the Government fixed any penalty for delaying its construction? Has there been any conditions laid down for land use if Reliance does not make a power plant under any pretext what would government do?
5. Dismiss all policemen responsible for brutal assault on villagers of Bejhera Khurd on 8th July 2006.
6. Institute an independent inquiry under a sitting judge of High Court to investigate into the lapses of district administration in Bejhera Khurd and its adjacent villages as well as on the issues of farmers and their rehabilitation.
7. Give full compensation to the farmers or their family members, who were either injured in the police firing or whose houses were ransacked. Compensation for their vehicles, household items, gold ornaments and cash looted by police force should be returned back immediately.
8. The Central Government must come out with a comprehensive rehabilitation policy. There should be a clear-cut guideline for Special Economic Zones and every state must follow central guidelines before signing any treaty with a private party.
9. Investigate how Chief Justice of Lucknow Bench of Allahabad High Court appoint a two judges bench at haste to hear the case and allow his son to file the case on behalf of Reliance Energy. The

Supreme Court must look into this matter and take necessary action.

10. The High-power Committee must probe into how the goons hired by private company to unleash a reign of terror in the village. The nexus between the hired goons, the state's ruling party and administration must be exposed and action should be taken to make administrative machinery fully unbiased, responsible and accountable.
11. To find out, as how much does Reliance Energy show the cost of the land for its bank loan. Whether it is the same as per compensation given to the farmers for Rs 150 per square yard.

**COPY OF
COMPLAINTS FILED IN NHRC**

To,
Justice (retd) A.S. Anand,
The Chairman,
National Human Rights Commission
New Delhi.

The farmers and farm labourers of the rural hinterland surrounding Delhi are fighting for their survival, amidst the growing vulcanization and expanding megalopolis at their cost. Their struggle seems to be with their basic right to live with their agrarian economy and rural natural environs on one hand and to demand fair, just and humane treatment granting democratic rights and civil liberties even when the State decides to acquire their resource base and evict them for transferring the same to the corporate sector in the name of development. When thousands of acres of land, where populated villages and prime agriculture have thrived for generations, is being handed over to the giant companies, Indian multinationals, whose money, muscle and market power is well known, around the ever expanding Delhi, in the adjacent districts such as Ghaziabad in U.P. the struggling farmers have questioned the deals that the companies or the states on their behalf are engaged in. The State is forcing them to give away their livelihoods and lifestyles by compelling them to sell the land and everything attached; houses, civic amenities, cultural monuments, communities, and common property resources.

It is this struggle that has witnessed the worst of the attacks by the State Government of U.P. (most probably, as per the peoples' narration, hired goons) on July 7th and 8th on which we have conducted an urgent enquiry and report to you herewith. We request and demand that the NHRC undertake an in-depth investigation at the earliest and ensure that the guilty are punished and the farmers, villagers receive compensation for their losses and justice in the deal related to their lands and properties. With the violence unleashed by the state and the corporates, their lives are under threat and hence they need full protection not just physical, but of their right to life and livelihood. The above incidence being only a part of the large-scale

trampling upon the agrarian life around the mega-cities all over the country, including Mumbai, Delhi, and Kolkata, we would expect the NHRC to take a position on the issue of urban development and its impact on the hinterlands. We would also like to remind you of our petitioning on the issue of development-induced displacement where neither public interest nor just and timely rehabilitation with alternative livelihood is ensured. Maybe expect and immediate action on these issues

Sincerely,

Justice Rajendra Sachar (Retd.), People's Union for Civil Liberties
Medha Patkar, National Alliance of People's Movements
Rajendra Ravi, Lokayan
Bhupendra Rawat, Jan Sangharsh Vahini

Endorsed by:

Sri. Thomas Kocherry, National Fishworkers Forum
Sri. Vimalbhai, Matu Jan Sangathan

**Report on the Brutal State Violence Against Farmers in Bajhera
Khurd, Distt. Ghaziabad, U.P.**

BY

Justice Rajendra Sachar (Retd.), **People's Union for Civil Liberties**
Medha Patkar, **National Alliance of People's Movements**
Rajendra Ravi, **Lokayan**
Bhupendra Rawat, **Jan Sangharsh Vahini**

The Government of U.P. Protects Interests of Reliance. Not Farmers
Dehat Morcha, Jan Morcha, Rana Sangram Singh Sangharsh Samiti, and other organizations under the leadership of Shri V.P. Singh, the former Prime Minister of India, Shri Raj Babbar, M.P., and supported by various political organisations, have been demanding a fair deal for the farmers of 7 villages in Gaziabad district whose lands have been grabbed for the Reliance power plant in Dadri. To cut short the long history of their 2-3 year struggle, they were being compelled to surrender 2,500 acres acquired at a price much lower than the market price in the area. This is also a known story for other companies who too have taken over large chunks of land (30,000-

35,000 acres each) at a very low price, which is a small percentage of the price that companies are reselling land for (the instance of Uppal and Chadha company, one of those in the "High-Tech City" in Gaziabad, selling hundreds of acres of land in some villages at the rate of Rs. 14,000 per square yard, without purchasing or legally acquiring it through "pre-launching" as it is called, is shocking). This is done obviously in connivance with the State using the "laws" but violating the constitution and fundamental rights.

The farmers, laborers, traders and others in the villages affected by Reliance power project received a very low cash compensation of Rs. 150 per square yard but were compelled to accept the same under the age-old Land Acquisition Act (1894) still in practice, and using intimidation tactics, about 3 years ago. Soon after a few were compelled to accept it, they realized the loot and began the agitation. It was in February 2004, at the time of the inauguration, that Mr. Mulayam Singh Yadav, CM of U.P., publicly announced that they would be given a better price, up to Rs. 310 per square yard, even when the market price is at least Rs. 500 per square yard and in the High-Tech city a few kilometers away, it is many times higher. There was no fulfillment of the promise and the farmers had to resort to a number of protest actions and started a peaceful sit-in since November 2005. Later, Shri. V.P. Singhji intervened and compelled the Chief Minister of UP, Mr. Mulayam Singh Yadav, to promise them a rate of Rs.310 per square yard by June 30th.

However, this did not materialize and the Reliance Company with a huge subsidy granted in various forms, kept the 2,500 acres of land unused during these years. It was their attempt to establish the plant now that led to the villagers feeling compelled to intensify their agitation against the betrayal beyond the ten-month long dharna in village Bajeda. The peaceful nature of the movement is obvious from the fact that they never resorted to violence even during such a long agitation. Later, they planned a program of symbolic ploughing of their own land only to assert their rights on July 8th, which was an open declared form of protest, under the leadership of Shri. V.P. Singh, the former Prime Minister of India, Sri. Raj Babbar, MP, and supported by various political organizations. The events related to the program, which indicate brutal violence and show the inhuman face of the state, are described below.

1. On July 6, late night around 11pm, a few policemen came to the village and began asking the people sitting in the square to get dispersed. When the villagers refused, the police returned back.

2. On July 7, the police tried to locate the leaders of Dehat Morcha, probably to arrest them, but could not. It was just before midnight that a contingent of PAC arrived at the main square of village Bajeda in tens of vehicles along with senior most officials, including D.M., SSP and others. In the late night, the villagers could not identify but there were a number of cars with red and blue light as reported. There were only about a hundred villagers sleeping at the dharna site (i.e. main square), and 10-20 were awake. On seeing the vehicles from a long distance, they shouted and called the villagers. When men and women gathered, they protested peacefully, asking the police not to enter the village and expressing determination that they would not move. The police instead threatened them of using force and without a formal warning, started firing. During 4-5 rounds of firing, three youths named Prempal, Vinod, and Naresh got wounded. We could meet them in the jail hospital where the wounds were bandaged and the case papers recorded wounded with blunt objects."

3. After the firing, there was a sudden stone-pelting and the village leaders could see and conclude that the same was started by some plainclothesmen who accompanied the police in uniforms. The villagers identified them as the goons brought along by the police. After about an hour-long confrontation, the police returned back.

4. On July 8th, it was in the early morning at six a.m. that a large contingent of police in the vehicles arrived again. Parking the vehicles a little away, they all marched into the village when there were not more than 100 villages sitting at the square. A number of officials were accompanying them and when they started approaching, one of the leading villagers, Former Major Himanshu, requested the villagers not to protest or stop them, but to allow them to come in and be prepared for a dialogue. The villagers did so, but the police entered and without even a warning resorted to lathi charge, brutal and severe.

5. Shri. V.P. Singh, Shri. Raj Babber and others were stopped from entering the district Gaziabad with barricades and an order of preventing their entry for one month under Section 151 IPC was clamped upon them. They and others squatted on the roads in protest, were arrested and then released. This stern action is obviously unjustified considering the nature of the agitation planned. It also

seems to be the State's weapon to weaken and break the people's organization. We might also remark on the strangeness of the state resorting to such tactics against a former Prime Minister of India, showing the lengths to which it will go to serve corporate interests.

6. There was apparently a court order obtained by Reliance Energy against the action program of July 8th, which we were told happened after midnight. However, instead of merely serving the orders or informing the villages about the same, the state attacked the community with the police force. It was totally unjustifiable and inhuman, violating the human rights and encroaching upon the civil liberties.

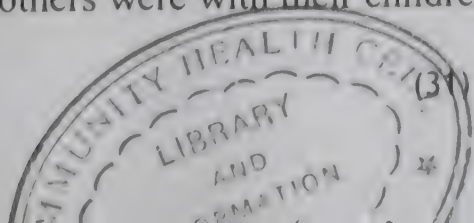
7. The police fired tear gas and then, wasting no time, resorted to brutal, unlimited lathi charge, breaking the heads and hands, causing fractures as well as injuries.

8. We met Subhash Zamadar, Monu, Manoj, and others, who had fractures. There were others like Charan Singh and Dinesh who had serious head injuries due to beating with sticks. Both of them were in Gaziabad Jail, amongst 80 others who were arrested on the 8th morning, but shifted to jail around 11 pm at night.

9. The police also entered the houses and broke the wooden doors, brick walls of a few houses, chulhas (cooking stoves of mud), material such as radios and glass windows, and scattered grains. A few shops, such as those of Suresh Sukhbir Singh, and Satish Chandra Garg (both arrested and in jail), in the village were fully destroyed along with the materials and stored money was taken away.

10. We met in Bajeda village a boy of ten-twelve years whose whole body had the burns due to the tear gas shell. Sunil Giri had his eye seriously wounded. Sheilaben, a widow living with her daughter and child, was beaten up by the police who entered her house and beat her on the head, injuring her eye too. She was found bedridden and, as others, was not capable of reaching the hospital on her own. Many women, including Biroben, Parvati Birpal, and Seema Gopal showed the marks on their thighs, backs, and hands, which proved a serious beating. Even the small infants of a few months were thrown away from their mothers by the police who pulled the women by hair and broke many things and furniture inside their houses.

11. Almost all the beaten up villagers confirmed that they were not in any action when the police attacked them. It was early morning and they were engaged in their household chores. Some were eating, while others were with their children or cattle. The police loosened



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the cattle and let them go in order to get the men out of the house to be beaten up and then entered the house to take care of the women.

12. The worst part of the operation was the beating and abuse unleashed on women, who were pulled by their hair and pushed against the wall. The women also complained of molestation since their saris were torn and they were pushed and pulled by the men police. A number of women lost their earrings, many of gold, since policemen pulled them out forcibly. The pain and wounds were unlimited. They also described how the men officials were laughing and passing sarcastic comments and policemen abusing them in filthy language.

13. Amongst the beaten up and arrested were villagers who had nothing to do with the agitation, including an old landless laborer, Tuki Chhidda, Shishupal Jagdish of Dhamdoj village (District Gurgaon), who had come to take his wife back from Bajeda, the three young men operating the microphone system at the village square, and young students such as Manu in the 9th standard who were all in jail.

14. It was against this we were shocked to know that out of 80 persons arrested, most (who were beaten up and pulled from their houses) were charged under Section 307. Many other sections, we were told, are also applied against them. Seven or eight of them have three cases of Sec 307 and two have four cases as if they tried many times to commit murder. Eight children below 21 years were amongst those in jail. Obviously all the cases filed are false and are merely a strategy to justify the beating and firing by the police.

15. On visiting the Gaziabad Jail in the afternoon of July 9th with Raj Babbar, Kunvar Sareraj Singh, MP, and others, we found that about 20 persons were hospitalized and almost all sixty men sitting outside the hospital also had marks of severe beating. They had pains in the bodies and many could not even sit or speak properly. There were aged farmers about 70 years in age, and some children below 16 years who were also beaten up above the waist, and on their backs, hands, and heads.

16. We found that the single doctor in jail was unable to take care of so many patients with so many wounds and full treatment had not been provided until we met them, but the minimum was taken care of. We saw a number of patients with their shirts full of blood, indicating the bleeding they had undergone. They were all extremely worried about the women and children at home who were beaten up and some also

left unconscious in front of their eyes.

17. It should also be noted that Om Pal Singh a press reporter (Dainik Jagran) Devender Singh press reporter of (Amar Ujala) and media persons Shyam Parmar (of NDTV) were beaten and their equipment damaged, mainly to suppress information as repeated in the village.

All this and much more was narrated to us and observed by us during our full-day investigation on July 9th. We expect the NHRC to take the severest action possible against this incidence of forcible possession and occupation of the land and everything attached to land, using the British-days act, from the farmers and others villagers. Such a war against the farming communities that are already indebted due to the unequal price and wage policy, is resulting in nothing less than killing the living communities. Development-induced displacement as it may be called is to be seriously reviewed since affected people rarely get their due in rehabilitation and their resources are diverted to fulfill more the private interests than the public. NHRC must therefore take a broader view of what is happening in the name of development that is pushed by the corporate and political powers jointly using the money, market and mafia forces. The state violence against the non-violent agitations may seem to be bringing the results to those who are all out to suppress the agitating farmers but, we would like to warn, can create a worse problem of land and order unless the constitutional authorities and the NHRC intervene with the right spirit to protect the people's rights.

COPY OF HIGH COURT ORDER

Writ Petition No. _____ of 2006 [MB]
 M/s Reliance Energy Generation LimitedPetitioner
 Versus
 State of U.P. and othersRespondents
Hon'ble Bhanwar Singh.J.
Hon'ble S.N. Shukla.J.

This Bench has been constituted by Hon'ble the Senior Judge.

Heard Mr Arun Monga, Mr. Aarohi Bhalla, Mr. Abhinav N. Trivedi, learned Counsel appearing for the petitioner and Mr. S.A.H. Rizvi,, learned Chief Standing Counsel appearing on behalf of opposite party nos. 1 to 5.

Since no order is being passed against the private respondents, the formality of the issuance of notices to them is dispensed with.

The petitioner is aggrieved of inaction on the part of the state Government in the matter of protection which is being sought for the last about one week, The petitioner has approached the State Government by moving several representations and praying for the State protection to safeguard the Company premises. The petitioner company with the help of the State Government had acquired 2-100.58 acres of land for raising a Power Plant and the State Government entered into an agreement with the petitioner's company for transfer of the above land. The petitioner has already been inducted into possession of the said land. The Petitioner's company had also established its local Unit and the same is functioning with the lanced boundaries. However, some organizations without permission of the State Government propose to stage/hold rally on the said land. The State is under an obligation to provide protection to the petitioner. Moreover, it is the bounden duty of the State functionaries to maintain law and order at the site in question and also all around.

Having regard to all aspects of the matter, we direct the opposite parties nos. 1 to 3 to provide all possible State protection to the petitioner company.

With the above direction. this w. . petition is finally disposed of.

7th July, 2006

7th July, 2006

Sd. Bhanwar Singh -
 Sd. S. N. Shukla -
 07-07-06



TRUE COPY

07/07/2006
 Copying Department
 High Court, Lucknow Bench
 LUCKNOW

COPY OF - NOTICE ISSUED BY NHRC TO
GOVT. OF UTTAR PRADESH

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
FARIDKOT HOUSE
COPERNICUS MARG, NEW DELHI-110 001

Tel. No. : 011-2338 5368

Fax No.: 011-2338 6521

Telegraphic Add.: "HUMANRIGHTS"

Home page : <http://nhrc.nic.in/>

Case No. 13218/24/2006-2007/FC

NOTICE

To
THE CHIEF SECRETARY
GOVT. OF UTTAR PRADESH, LUCKNOW

WHEREAS the complaint/intimation dated 12/07/2006 received from JUSTICE RAJENDER SACHAR (RETD.) & OTHERS in respect of VILLAGERS OF DADRI was placed before the Commission on 19/07/2006.

AND WHEREAS upon perusing the complaint the Commission has passed the following order.

Let a copy of the complaint together with the annexures be forwarded to the Chief Secretary and DGP, UP for a factual report.

A copy of the complaint along with annexures shall also be forwarded to DM. Dadri District, Gautam Budh Nagar to respond to the specific allegations made in the complaint and send a factual report within two weeks.

NOW THEREFORE TAKE NOTICE that you are required to submit the

TAKE FURTHER NOTICE that in default the Commission may proceed to take such action as it deems proper.

Given under my hand and seal of the Commission, this the day of 24 July 2006.

(BY ORDER)

ASSISTANT REGISTRAR (LAW)

Encl: Copy of the complaint.

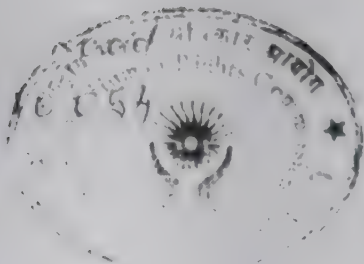
- Note ->
1. The information / report shall be furnished only by the authority which is called upon to do so.
 2. Please quote the Case No. referred above in all future correspondence / reports.

CC to:

The Principal Secretary (Home)
GOVT. OF UTTAR PRADESH, LUCKNOW

JUSTICE RAJENDER SACHAR (RETD.) &
OTHERS
PEOPLES UNION FOR CIVIL LIBERTIES, VASANT
VIHAR
SOTH WEST DELHI, DELHI.

C/o National Alliance of People's Movements.
13, Alipur Road
Delhi-110 054



ASSISTANT REGISTRAR (LAW)

LIST OF ARRESTED PEOPLE

S.No.	Name	Age (in years)	Village
1	Chandra Mohan	15	Bejhera Khurd
2	Jeetu	15	Bejhera Khurd
3	Ravinder	14	Bejhera Khurd
4	Devender	14	Bejhera Khurd
5	Somvir	22	Bejhera Khurd
6	Sanjay Kori	25	Bejhera Khurd
7	Suresh Kori	22	Bejhera Khurd
8	Vijendra Pal	17	Asra
9	Sunil Kori	22	Kota (Harnathpur)
10	Jasbir Kori	21	Pilkhuwa
11	Dharampal Kori	19	Bejhera Khurd
12	Dharmi	18	Bejhera Khurd
13	Sunder	21	Bejhera Khurd
14	Bhojraj	18	Bejhera Khurd
15	Dheer Singh	35	Bejhera Khurd
16	Dinesh Singh	20	Bejhera Khurd
17	Parmender	29	B-113, Sarvodaya Enclave, New Delhi
18	Sonu	15	Bejhera Khurd
19	Monu	16	Kheda (Pilkhuwa)
20	Devender	30	Kheda (Pilkhuwa)
21	Gopal	23	Kheda (Pilkhuwa)
22	Raju	22	Kheda (Pilkhuwa)
23	Manoj	18	Bejhera Khurd
24	Anil	35	Bejhera Khurd
25	Narendra Singh	25	Bejhera Khurd
26	Pankaj	15	Bejhera Khurd
27	Mahesh Giri	14	Bejhera Khurd

S.No.	Name	Age (in years)	Village
28	Yogesh	18	Kastali (Aligarh)
29	Prempal	28	Bejhara Khurd
30	Radheyshyam	30	Sopa (Bulandshahar)
31	Charan singh	28	Bejhara Khurd
32	Sanjay	21	Bejhara Khurd
33	Bikram Singh	27	Bejhara Khurd
34	Sishpal	35	Gurgaon (Haryana)
35	Sonu	20	Bejhara Khurd
36	Pramod	26	Bejhara Khurd
37	Satish	28	Mujahidpur (Muzzafarnagar)
38	Kude	40	Kheda (Pilkhuwa)
39	Subhash	45	Bejhara Khurd
40	Subhash	35	Bejhara Khurd
41	Bhikki	58	Bejhara Khurd
42	Vinod	30	Bejhara Khurd
43	Brajpal	19	Bejhara Khurd
44	Rampal Singh	90	Bejhara Khurd
45	Somender	25	Bejhara Khurd
46	Dhirender	15	Bejhara Khurd
47	Sonu	17	Bejhara Khurd
48	Rahul	14	Bejhara Khurd
49	Krishen Singh	36	Bejhara Khurd
50	Uday Singh	30	Bejhara Khurd
51	Ram Kishan	30	Bejhara Khurd
52	Dinesh	30	Bejhara Khurd
53	Satish	30	Bejhara Khurd
54	Chander Singh	53	Bejhara Khurd
55	Bhutiya Singh	68	Bejhara Khurd
56	Nasib Singh	62	Bejhara Khurd

S.No.	Name	Age (in years)	Village
57	Sumit	14	Bejhera Khurd
58	Shishpal	70	Bejhera Khurd
59	Manoj Bhardwaj	33	Bejhera Khurd
60	Buddhu Singh	35	Bejhera Khurd
61	Dhanna Singh	50	Bejhera Khurd
62	Ramesh Singh	62	Bejhera Khurd
63	Ompal Singh	62	Bejhera Khurd
64	Omprakash Singh	41	Bejhera Khurd
65	Chunnu Singh	52	Bejhera Khurd
66	Veerpal	70	Bejhera Khurd
67	Satpal	50	Bejhera Khurd
68	Rajpal Singh	55	Bejhera Khurd
69	Shiv Kumar	22	Bejhera Khurd
70	Major Himanshu	34	Kalandi
71	Rampal	50	Bejhera Khurd
72	Sanjay	28	Bejhera Khurd
73	Richhpal Singh	55	Bejhera Khurd
74	Jagbar	71	Bejhera Khurd
75	Jaipal	58	Bejhera Khurd
76	Vikram	22	Bejhera Khurd
77	Ishwar Dayal	76	Bejhera Khurd
78	Dinesh	26	Kakrana
79	Jagdish Singh	66	Kakrana
80	Mahender Singh	66	Kakrana
81	Deepak Gupta		Hapur

FEW OF THE LIST OF DAMAGED VEHICLES

S.No.	Name of Vehicles	Number of Vehicles
1	Motorbike	UP-14-V-8382
2	Motorbike	UP-14-S-8323
3	Motorbike	UP-14-R-8210
4	Motorbike	UP-14-AC-8149
5	Motorbike	DL-7S-A-8341
6	Motorbike	UP-15-Q-2466
7	Motorbike	UP-14-X-0179
8	Motorbike	UP-14-AC-3672
9	Two- wheeler Scooter	DL-25-L-5410
10	Santro Car	HR-08-D-7600
11	Maruti Car	DL-2C-A-1299
12	Maruti Car	UP-14-M-2570

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